

AMENDMENTS TO THE CLAIMS:

This listing of claims will replace all prior versions, and listings, of claims in the application:

1. (Currently Amended) A game machine that is provided with an electrically rewritable nonvolatile memory having two or more game data backup areas, said game machine being capable of writing game data into said backup areas, preserving at least some older game data when attempting to overwrite a game data backup area with latest game data, comprising:

backup memory area selection programmed logic circuitry ~~to select which selects~~, as a write-objective backup area for storing ~~last~~ latest game data, a backup area containing previously stored game data of oldest writing age among said two or more game data backup areas;

memory controller for writing the ~~last~~ latest game data to a backup area selected as said write-objective backup area by said area selector;

memory write determination programmed logic circuitry configured to determine whether or not a writing of the ~~last~~ latest game data to said ~~nonvolatile memory is successfully performed by said memory controller~~ backup area selected by said backup memory area selection programmed logic circuitry was successful;

memory write attempt repeater programmed logic circuitry configured to repeatedly attempt writing to the write-objective backup area for a predetermined number of attempts if it is determined by said memory write determination programmed logic circuitry that a writing of the ~~last~~ latest game data ~~is~~ was not successfully performed; and

writing prohibitor programmed logic circuitry configured to prohibit a ~~writing of the last~~ further attempts of writing the latest game data to said ~~game data backup areas selected write-objective backup area~~ and end a game data backup area writing process without storing said ~~last~~

the latest game data if attempting a writing of said last under conditions wherein an attempt to write the latest game data to said selected write-objective backup area is unsuccessful after said predetermined number of attempts and only a backup area containing older game data from a previous gaming session prior to generating said latest saved immediately before the last game data is available as a write-objective backup area, wherein a failure of a memory element occurring in said electrically rewritable non-volatile memory does not result in a loss of older game data stored in a last remaining available backup area.

2. (Currently amended) A game machine according to claim 1, wherein said memory write determination programmed logic circuitry includes a historical information storage programmed logic circuitry for recording historical information including information relating to a write age of generated game data, said historical information being included as part of said ~~last~~latest game data, and for determining an age of said generated game data relative to a write age of other stored game data based on said historical data; and

said backup memory area selection programmed logic circuitry includes an earliest write age selector which, before writing the ~~last~~latest game data, selects as the write-objective backup area a backup area stored with game data that was written earlier than ~~the last~~an age of the latest game data based on said write age information.

3. (Canceled)

4. (Previously presented) A game machine according to claim 1, further comprising message displaying programmed logic circuitry to display a predetermined alarm message when the writing is prohibited by said writing prohibitor.

5. (Currently amended) A game data backup control method ~~wherein for preserving previously saved older game data when attempting to overwrite a game data backup area stored game data is written into two or more backup areas in an electrically rewritable storage area of a nonvolatile memory device of connected to a game machine, comprising steps of:~~

selecting, when ~~last a latest~~ game data is to be stored, a backup area stored with game data having an oldest write age among said two or more backup areas as a write-objective backup area for said last game data;

attempting a writing of said ~~last latest~~ game data to said write-objective backup area selected in said selecting step;

determining whether or not writing of the ~~last latest~~ game data to said ~~nonvolatile memory is backup area selected in said selecting step was~~ successfully performed and, ~~when if~~ it is determined that a writing of the ~~last latest~~ game data ~~is was~~ not successfully performed, repeatedly attempting a writing of said last game data to said selected write-objective backup area for a predetermined number of attempts; and

prohibiting a writing of ~~last said latest~~ game data to said ~~two or more backup areas~~ and ending a game data backup writing process without storing said ~~last latest~~ game data if said ~~attempting a writing of under a condition in which said predetermined number of attempts to write~~ said ~~last latest~~ game data to said selected write-objective backup area ~~is are~~ unsuccessful after said ~~predetermined number of attempts~~ and only a single backup area stored with older game data ~~written immediately before the last from a previous gaming session prior to generating~~

said latest game data is ~~remaining~~ ~~remains~~ as being selectable by said selecting step, wherein a failure of a backup area in said electrically rewritable non-volatile memory does not result in a loss of older game data stored in a last remaining available backup area.

6. (Currently amended) A game data backup control method according to claim 5, wherein said attempting a writing of said ~~last~~ latest game data includes attempting a writing of historical data used for discriminating between relative write ages of previously stored game data, said historical data being included ~~in~~ as part of said ~~last~~ latest game data.

7. (Currently amended) A game data backup control method according to claim 6, wherein said selecting a backup area as a write-objective backup area includes, before writing ~~the last~~ said latest game data, selecting a backup area stored with game data written earlier than ~~the last~~ an age of said latest game data based on the historical data.

8. (Canceled)

9. (Previously presented) A game data backup control method according to claim 5, further comprising:

displaying a predetermined alarm message when said writing is prohibited by said prohibiting step.

10. (Currently amended) A game data backup control method for controlling whether or not ~~last~~ latest game data is written into designated data storage backup areas in an electrically rewritable storage ~~area of a nonvolatile memory~~ connected to ~~of~~ a game machine, comprising:

selecting, as a write-objective, a backup area in said non-volatile memory that contains an oldest written game data and which is available for storing said ~~last-latest~~ game data; and

canceling writing of said ~~last-latest~~ game data into a selected write-objective backup area and prohibiting further writing of ~~last-said latest~~ game data into ~~any-of-said-a selected write objective backup areas when area under a condition wherein~~ writing into said selected write-objective backup area is not successfully executable after a predetermined number of repeated attempts and only a backup area containing older game data stored ~~immediately before the last from a previous gaming session prior to generating said latest~~ game data ~~was generated~~ remains available for selection as a write-objective backup area, wherein a failure a selected backup area within the electrically rewritable non-volatile memory device does not result in a loss of older said-game data that was stored immediately before generating the last game data is left intact in a last remaining available backup area.

11. (Currently amended) In a game machine having a nonvolatile memory, said memory including a plurality of electrically rewritable game data backup storage areas, a method of backing up game data, comprising:

generating ~~last-latest~~ game data corresponding to ~~a-last-latest conditions in a game being~~ played;

designating one of said game data backup storage areas that contains an oldest written game data relative to game data written in other backup storage areas as a write-objective target for storing said ~~last-latest~~ game data;

canceling writing of said ~~last-latest~~ game data into said designated write-objective target backup storage area and prohibiting further attempts at writing into ~~any-of-said-a selected~~ backup

~~storage areas for backing up of last game data if area under a condition wherein an attempt in~~
writing to said designated write-objective target backup storage area ~~remains unsuccessful results~~
in an unsuccessful storage of said latest game data after a predetermined number of repeated
unsuccessful attempts and only a backup storage area that contains older game data that was
stored from a previous gaming session immediately prior to generating said ~~last~~ latest game data
remains available for selecting as a write-objective target; and

causing a display of said game machine to display an error message indicative of an
unsuccessful saving of ~~last~~ said latest game data and/or a broken backup storage memory
condition, wherein a failure of a memory element in said electrically rewritable non-volatile
memory does not result in a loss of older game data stored in a last remaining available backup
area.

Claims 12-22. (Canceled)